

Appendix C

Clean Copy of the Claims
Application No: 09/388,090

37. (Twice Amended) An isolated nucleic acid comprising a nucleotide sequence encoding an isolated non-cytosolic polypeptide of a *Neisseria* spp. (NGSP) polypeptide, which is a polypeptide of a *Neisseria* species with the proviso that said *Neisseria* species is not *N. meningitidis*, which polypeptide has a molecular weight of about 40 kD to about 55 kD as determined in SDS polyacrylamide gel electrophoresis using glutamic dehydrogenase, carbonic anhydrase and myoglobin-blue as molecular weight markers, and which polypeptide has about 36% sequence identity to Deq P protein of *E.coli*. when % sequence is determined using a BLASTP program using FAST format, expect 10 filter default, description 100.

38. (Thrice Amended) An isolated nucleic acid comprising the sequence of SEQ ID NO. 3.

39. (Twice Amended) An isolated nucleic acid encoding an NGSP polypeptide which comprises a nucleotide sequence that hybridizes at 68°C in 0.5M NaHPO₄ (pH 7.2) 1 mM EDTA/7% SDS or at 65°C in 6X SSC, 50 mM Tris-HCl (pH 7.5), 1 mM EDTA, 0.02% PVP, 0.02% Ficoll, 0.02% BSA or in 50% formamide/0.25 M NaHPO₄ (pH 7.2)/0.25 mM NaCl/1 mM EDTA/7% SDS to the sequence of SEQ ID NO. 3 or the complement thereof, wherein said complement is complementary to at least 25 contiguous nucleotides of SEQ ID NO. 3.

48. An isolated nucleic acid encoding a fragment of a NGSP polypeptide said fragment comprising at least 7 amino acids and having an antigenic epitope of the amino acid sequence of the polypeptide encoded by SEQ ID NO. 3.

49. An isolated nucleic acid encoding a NGSP polypeptide which specifically binds an antibody that specifically binds to a polypeptide encoded by SEQ ID NO. 3.

50. (Once Amended) A pharmaceutical composition comprising the isolated nucleic acid of any one of claims 37, 38, 39, 48 or 49.

51. A recombinant expression vector comprising the isolated nucleic acid of any one of claims 37, 38, 39, 48 or 49.

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52. A host cell transformed with the recombinant vector of claim 51.

53. A method of producing an NGSP polypeptide or fragment thereof, comprising culturing a host cell transformed with the recombinant vector of claim 51 and harvesting expressed NGSP polypeptide or fragment thereof.--

54. (New) An isolated nucleic acid encoding a fragment of an NGSP polypeptide, said fragment comprising at least 8 amino acids and having an antigenic epitope of the amino acid sequence of the polypeptide encoded by SEQ ID No: 3.

55. (New) An isolated nucleic acid comprising a nucleotide sequence encoding an NGSP polypeptide, which is a polypeptide of a *Neisseria* species with the proviso that said *Neisseria* species is not *N. meningitidis*, which polypeptide has a molecular weight of about 40 kD to about 55 kD as determined in SDS polyacrylamide gel electrophoresis using glutamic dehydrogenase, carbonic anhydrase and myoglobin-blue as molecular weight markers and which polypeptide has a serine protease motif.